FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1155 OF 2005

Office notes, office	:	
Memoranda of Coram,	:	
appearances, Court's	:	Court's or Judge's Orders
orders or directions	:	
& Registrar's orders.	:	.

Mr.M.C. Hegde with Mr. B. Mohiddin for the petitioner.

Mr. P.K. Hushing for respondents 1 and 2.

CORAM: SMT. RANJANA DESAI, J.

DATED: 12TH APRIL, 2005.

P.C.:-

On 16/3/2005, I had heard the learned counsel for the petitioner. An order was passed by me stating that no interference is necessary with the impugned order because both the courts have concurrently held against the petitioner-tenant on the questions of arrears of rent and bonafide and reasonable requirement of the landlord.

I had also recorded that the concurrent finding of fact is unassailable. The petition was,

however, adjourned as the petitioner wanted some time to vacate the suit premises. The respondents' presence was, therefore, necessary. Accordingly, notices were issued to respondents 1 and 2. Notices have been served.

Mr. Hushing, the learned counsel appearing for respondents 1 and 2 states that the petitioner may not be given a long time to vacate the suit premises as there are 16 members in the respondents' family and they badly need the suit premises. In view of the fact that the concurrent findings of fact do not merit any interference by this court, the petition is rejected. However, the petitioner is given six months' time to vacate the suit premises on the petitioner and all adult members of his family filing usual undertakings in this court within three months from today. Copies of the undertakings may be given to the learned counsel for the respondents. The undertakings should state that on expiry of the period of six months, unencumbered, vacant and peaceful possession of the suit

premises will be handed over to the respondent.

All concerned to act on the authenticated copy of this order.

(SMT. RANJANA DESAI, J.)